

Meeting Minutes
Agricultural Advisory Committee Meeting
August 20, 2013

Attendees: David Weitzer, Eddie Kuhlman, Tim McGrath, Drew Stabler, Charlotte Ruppert, Chuck Schuster, Debbie Benson, Woody Woodroof,

Guests: Jonathan Casey (MNCPPC), Jeremy Criss

The meeting was called to order at 7:05PM.

1. Introductions:

Brief introductions were given.

2. Approval of AAC Minutes from July 16, 2013:

With minor corrections, the minutes were approved as corrected (*Kuhlman, Stabler*)

3. Discussion with DEP Director Bob Hoyt and Staff Steve Shofar-Water Quality Protection Fund-WQPF that is used for Storm Water Management Activities-Fund allocation to MSCD:

The Ag Advisory Committee reviewed the background from the April 9, 2013 meeting the County Executive on future funding for the DED Agricultural Services Division. As suggested by the County Executive, the Ag Advisory Committee invited Bob Hoyt, Director, Department of Environmental Protection, and Steve Shofar to discuss the future source of funding for the Agricultural Services Division, which includes the Montgomery County Soil Conservation District – MSCD.

Bob Hoyt said that he supports the water quality efforts implemented by farmers and the agricultural industry. Bob apologized for not getting the WQPF funding to the MSCD earlier. Bob explained the internal discussions surrounding the County urban goals to meet the MS4 permit requirements. Bob explained the new process for how the WQPC-charge is assessed on property owners. The farmers currently pay \$88.40 for their residence and no additional charge is assessed on the farmland or agricultural improvements. Bob said there are a total of 250,000 units that are assessed the WQPC charge and this includes both residential and non-residential properties. All public owned properties (MNCPPC, State and County Government, MCPS) are exempt from the WQPC. Bob said that Montgomery County has done more to address storm water runoff than any other jurisdiction in the Country. Bob said the farming community can play a role to help the County meet the requirements of the MS4 permit. Bob is very interested in Nutrient Trading and he believes people must determine the most cost effective way to meet the requirements. Bob said there are many opportunities in down county areas that were developed 30-40 years ago and the focus should be target money to retro fit the infrastructure for storm water management. Bob stated that it there were ways the

farming community could implement BMPs on farms, this outcome would help the County meet the MS4 permit requirements. Woody Woodroof said he was not clear on the Nutrient Trading because he has seen farms where cattle are in the streams or very close to streams. Woody suggested that if incentives for cost share funding was available to farmers that establish 40 foot buffers from the stream with fencing this would be helpful. Chuck Schuster said that the new Nutrient Management regulations now require stream fencing for livestock. Bob said that Steve Shofar showed him a picture of a farm enrolled with the MSCD under the MACS Program where the BMPs implemented on the farm also help to reduce storm water runoff from the adjacent residences. Bob said that we need to develop a plan that shows the ideas and areas where DEP can partner with the MSCD. Drew Stabler said that Nutrient Trading may not work for the farmer where he needs nutrient credits for the operation to determine the Base Line of BMPs. Drew said the farmer may not have excess capacity of nutrient credits to trade. Personally Drew said the Nutrient Trading is a joke as it allows pollution to occur elsewhere. Bob reminded everyone that he is interested in identifying where is it the most cost effective to get the most achieved. Drew said that we in agriculture are faced with many challenges and new regulations and the farmers are overwhelmed with this difficult environment. Bob said you farmers are being regulated and so are we in DEP. Woody asked how the DEP can help farmers to comply with the new State Nutrient Management regulations. Bob said that increasing the WQPC to all residences by one dollar would generate an additional \$250,000 annually. Bob said be careful for what you ask for because we DEP will make requirements and deliverables. If there are ways we can achieve increased water quality this may work. Bob suggested that a list of items that MSCD will do showing here is the bang for the buck for allocating WQPC funding to the MSCD.

4. Update on the Zoning Ordinance Revisions-ZTA 13-04:

The County Council PHED Committee has conducted several work sessions in June and July on the ZTA13-04. Many of the recommendations from the AAC have been incorporated into the new draft ZTA. The AAC is still pushing for the new use and definition of Ag. Education and Ag tourism. As of July the new term and definition are being considered on the “Maybe list” meaning it may be brought up again for discussion and inclusion or it may not. The AAC identified this as being a better outcome than a “no.” Additional work needs to be done surrounding the issue.

During the August 12, 2013 Agricultural Leaders Luncheon Council member Floreen asked Jeremy Criss for additional background on the proposed use Ag Education and Tourism. Criss provided sections from Chapter 52 of the County Code-Taxation where the Council approved Expedited Bill 16-07 that defines Agricultural Tourism activities that are exempt from the State Admissions and Amusement Tax. Woody said that Agricultural Tourism has value and it needs to be considered as part of value added products. The current code allows for on-farm markets to sell the products produced on the farm but it says nothing about the activities and services farms offer.

5. Follow up from the 2013 Farm Tour and Harvest Sale

The 2013 Farm Tour and Harvest Sale event was very successful as it did not rain even though rain was called for Sunday. The participating farms showed strong attendance. The DED has not received any complaints from the event.

6. FAME Final Report and Roll out

The Final report from the Farming at Metro's Edge Conference has been written and submitted to the AAC-Chair and the President of the Montgomery County Farm Bureau. The report is well written and well organized. It captures the comments and recommendations announced by the facilitators from each of the 25 round table discussions. Criss explained how the Roll out will include an Action Panel of folks to respond and comment on the report recommendations. Steve Silverman was identified to represent the DED but he will be in China with the County Executive. Criss said he was asked to represent the DED but he has several reservations for this assignment. Woody Woodroof asked why not go up the ladder of command. Criss said he will discuss this with Steve Silverman. The University of Maryland-Extension is not sure who will be representing Extension at this time and Rick Walter-Area Extension Director is on deck.

7. Clarksburg Limited Master Plan Amendment-Ten Mile Creek Watershed:

The County Council requested the Planning Board to review the recommendations in the 1994 approved Clarksburg Master Plan pertaining to the environmental resources of the Ten Mile Creek Water Shed. The Planning staff developed a limited amendment and the Planning Board will conduct a Public Hearing on September 10, 2013. The staff draft report fulfills the Council request and recommends that TDR receiving zones for the Pulte and King properties reduce the footprint and densities of development. These two properties are currently zoned RE1/TDR and the staff draft recommends down-zoning them to RNC/TDR. Eddie Kuhlman said that the loss of TDR receiving capacity is a real concern to the farmers who want to sell TDRs. Eddie said that developers in Clarksburg are using TDRs that they already own and if they decide to sell them this will have a negative impact on TDR prices. David Weitzer said that TDR receiving capacity is very important to the agricultural community as it represents the demand side for farmers selling TDRs and every time the demand for TDRs is reduced this also reduces the prices farmers receive for TDRs. The staff draft also acknowledges the Special Protection Area for the Ten Mile Creek Watershed that includes an impervious area limit. After additional discussion it was recommend the AAC submit a letter and testimony to the Planning Board to discourage the reduction of TDR receiving capacity as it will worsen the existing imbalance of TDR supply and demand and to request the Council explore alternative uses for TDRs as recommended in the ZTA 13-04. The use of TDR in mixed use zones will help to address the 33 year imbalance of TDRs in the sending and receiving areas. (*Stabler/ Kuhlman*)

8. Continued Discussion on University of Maryland-Extension funding

AAC continues to be unhappy with the lack of financial support for Extension Services. During the July 16, 2013 AAC meeting Gary Marx agreed to draft a letter outlining the AAC concerns surrounding the process the University of Maryland went through for cutting its budget by 10% for FY13 funding for all departments. A draft letter was handed out for the Committee to review. It was agreed to address the letter to the Board of Regents and copy all of the administrative officials at the University. David Weitzer suggested that we amend the draft letter to reference the U of MD July 2013 publication that reports Maryland Agriculture is a \$8.25 Billion Dollar industry. The Committee recommended that staff condense the text down. (*Kuhlman/Stabler*)

9. Next meeting of the AAC is September 17 at 7:00PM.

With no further business, the meeting was adjourned at 9:08 pm#